

REMARKS/ARGUMENTS

The Office Action mailed October 20, 2004 has been reviewed and carefully considered. Claims 2 and 11 are canceled. Claims 1, 9, and 12 have been amended. Claims 13-27 are added. Claims 1, 3-10, and 12-27 are now pending in this application, with claims 1, 9, and 19 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed October 20, 2004, claims 1, 2, and 9 were objected to because the term "electrically" should be changed to "electronically". The claims have been amended to implement this suggested change. Accordingly, the claim objections should now be withdrawn.

Claims 1 and 3-8 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. U.S. Patent No. 6,084,968 (Kennedy).

Claims 9-12 stand rejected under 35 U.S.C. §103 as unpatentable over Kennedy in view of U.S. Patent No. 5,974,141 (Saito).

Claim 2 was found to contain allowable subject matter and would be allowable if rewritten in independent form. Accordingly, independent claim 1 has been amended to incorporate the limitations of dependent claim 2 and independent claim 1 should therefore now be allowable in its amended form.

Independent claim 9 is drawn to a system and has been amended to incorporate limitations corresponding to the limitations of dependent claim 2. Accordingly, amended independent claim 9 should also be allowable.

New independent claim 19 is drawn to an identification device for identifying a safety marking attached to one of an object or a device as an encrypted string in electronic form.

Independent claim 19 recites that the identification device is in a mobile station and includes "means for reading the encrypted string attached to the one of the object or device from the safety marking into the identification device", and "means for decrypting the encrypted string using a decryption key in the identification device for determining ownership of the object or device". Support for the limitations of claim 19 are found in Fig. 1 and at page 6, line 17 to page 7, line 5. Accordingly, independent claim 19 recites that the identification device is used to read a safety marking in electronic form from an object or device, and that the safety marking is decrypted by the identification device to determine the ownership of the object or device.

In contrast to the recited invention, of claim 19, Kennedy relates to a host communication device in which a security access token is used to access secure functions within the host device. More specifically, the token or "smart card" is used to enable a particular security level on the communication device (col. 3, lines 16-18 of Kennedy). Fig. 4 and the description starting at col. 5, line 30 of Kennedy teach that the smart card 105 is inserted into the host 101 to provide credential information to the host 101 and thereby allow access to allowed functions. Kennedy further discloses a split key encryption in which a split or part of the encryption key is stored on the smart card and another part of encryption key is stored on the host communication device. There is no disclosure, teaching or suggestion in Kennedy of "means for decrypting the encrypted string using a decryption key in the identification device for determining ownership of the object or device", as expressly recited in independent claim 19. Rather, the information on the smart card in Kennedy indicates only that the user of the smart card has authorization to access certain functions on the host device.

Saito fails to teach or suggest what Kennedy lacks. Saito relates to system to ensure security of copyrighted data in a computer network system. Accordingly to Saito, a data

management center stores data and adds a label to indicate whether data is original copyrighted data, or an edited version of copyrighted data (see col. 7, lines 16-26, of Saito). Users are issued public keys and secret-keys (see col. 4, lines 8-24). The utilization of copyrighted material is tracked by requests for secret keys. Saito does not teach or relate to an identification device for reading and decrypting markings which indicate ownership of objects or devices, as expressly recited in independent claim 19.

In view of the above amendments and remarks, it is respectfully submitted that independent claim 19 is allowable over Kennedy and Saito.

Dependent claims 3-8, 10, 12-18, and 20-27, each being dependent on one of independent claims 1, 9, and 19, are deemed allowable for at least the same reasons expressed above with respect to independent claims 1, 9, and 19.

This application is now deemed to be in condition for allowance, and early notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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